

THE <sup>4103.c.55</sup>  
REGAL SUPREMACY  
IN  
*Ecclesiastical Affairs*  
ASSERTED  
IN A  
92 DISCOURSE

Occasioned by the  
Case of the Regale and Pontificat.

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*Quis utrinque modus exceditur in Potestate  
Magistratus circa res sacras constituendâ, dum  
Alii ab omnimodâ rerum Ecclesiasticarum pro-  
curatione Magistratus arcent, remouentque; Alii  
omnimodam Administrationem Ecclesiasticam  
eundem Magistratum potestati subiciunt:  
Ea propter per medium cum Ecclesiâ Dei Ca-  
tholicâ, adeoque Anglicanâ, eundem est.  
T. P. Dec. Ser. Pacifistorum.*

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L O N D O N:  
Printed for W. Rogers at the Sign against  
St. Dunstons Church, Fleetstreet, 1701.





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THE  
PREFACE.

**T**HERE is no Doctrine by which the Church of England hath distinguished it self more, than by that of the Regal Supremacy in Ecclesiastical Affairs. She hath affirm'd it in her Articles, guarded it with her Canons, and taken the most effectual Course imaginable to establish it beyond Contradiction. Some that were once her Sons, (I would to God they had always continued such,) perceiving that the Grounds of their Separation bare hard upon this Doctrine, that they might not

## The P R E F A C E.

seem utterly to have forsaken that Church whose name they have presumptuously appropriated to themselves, endeavour'd by forced and unnatural Expositions to reduce it to a Consistency with their own Practices. But, this proving an impossible Task, they have at last spoke out, and with bold face attack'd the Doctrine it self. To this end they have rally'd all the scatter'd Forces which the Papists had formerly employ'd against it, and muster'd up some few more, which with much difficulty they have raised out of their own Strength. I could not with Patience be an idle Spectator, especially when I saw such Arms lying ready to my hands, as were once of Proof sufficient, and were likely enough to be so still, had any one but the heart to make tryal



## THE PREFACE.

tryal of them. I have ventured therefore to take them up; and if in the Use of them I have exposed my weaknels, I have signalized my Zeal and Courage at least. I do not pretend to much Skill in Controversie; and indeed I take it to be the worst part of our Christian Warfare. Nor had I engaged in it now, had I not been touch'd with a deep concern for the Honour of the present Church, together with the Memory of those blessed Martyrs and Confessors, to whose labours and sufferings we owe our Reformation. For according to these Men's Principles, both We live and They died in a most lamentable Schism, and neither consequently in hopes of Salvation. If this procure my pardon for entring into this debate, I am satisfied; and as for

## The P R E F A C E.

the management of my part is it, I know that every Reader claims it as his Right to Judge, and must be content to let him enjoy it. Only I would have him consider that it is a very nice and tender Subject which is here treated of, and on which it is much easier to find fault with others, than to say one's self things altogether unexceptionable. I have endeavour'd to express my self as clearly and inoffensively throughout as I could; but yet I would not have my Meaning guess'd at from single Expressions, but taken from entire Sentences or rather Paragraphs. If in these it shall appear that I am Mistaken I shall be glad to be better inform'd, nor do I care how soon. This becomes a Foil to a better Performance. I would have it farther observed that by  
Kings



## THE PREFACE.

Kings and Princes I all along mean the Supreme Civil Power in any Nation. be it in One or Many. I have throughout my Discourse had an Eye to Governments only in General, without the least regard to particular Constitutions, and therefore cannot be censured as having any Ill design upon any part of our Own. However to prevent Misconstructions, I shall here subjoin a Position of Mr. Hooker's, viz. Eccel. Pol. 1. 8. The Parliament of England, i. e. King, Lords and Commons, together with the Convocation annex'd thereunto, is that whereupon the very Effence of all Government within this Kingdom doth depend: To which I do very freely Subscribe.

THE





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THE  
REGAL SUPREMACY  
IN  
*Ecclesiastical Affairs*  
ASSERTED, &c.

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THE S I S

I.

*God is the Supreme Governour of the  
World.*

II.

*Kings are God's Deputies and Vicege-  
rents.*

*Let every Soul be Subject unto the  
higher powers, For there is no Power but  
of God: the Powers that be, are ordain'd  
of God---He is the Minister of God to  
B thee*

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*thee for good-- He beareth not the Sword in vain, for he is the Minister of God, a Revenger to execute Wrath upon him that doth Evil, Rom. 1. 1, 4.*

### YCAMER III.

*Kings are ordain'd of God for the Eternal, as well as Temporal Welfare of their Subjects.*

**T**H E Contrary is asserted by such *Latitudinarians* as plead for an *Universal Toleration*, and by a late \* *Author* who would be very unwilling to be accounted of that Sort, but yet says expressly, that the *End and Design* of *Political Government* hath respect only to this World, and was ordain'd for no *Ends or Respects* that reach farther than this Life. Whether this Doctrine be consistent with what he had \* before written concerning *Toleration*, let himself judge. He there tells us that the *Kings of Judah and Israel* were Blamed and severely Punished by God for *suffering of Idolatry* and other *Prophanations* in their Kingdoms, which they ought to have restrain'd with the *Civil Sword*.

\* *Case of the Regale and Pontificat. p. 218, 225.*

\* *Case of Regale, p. 187.*



It seems then that the *Civil Sword* was design'd to reach farther than to matters of *Civil Justice* only. For else why were the *Jewish Kings* punish'd for suffering *Idolatry* and other *Prophanations* in their Kingdoms, and how were they obliged to *restrain* them, if they had nothing to do, but to maintain the *Civil Peace*? If their Office regarded the *Temporal Welfare* only of their People, what did it concern them, so long as that was secured, whether *God* or *Baal* were Worship'd in their Dominions? But, Blessed be God, Princes are not thus taught by our Church. "We teach \* say'th  
" Bishop *Bilson*, that God in delivering  
" the *Sword* to Princes hath given them  
" this direct Charge, to provide that as  
" well true Religion be maintain'd in  
" their Realms, as Civil Justice mini-  
" ster'd: and hath to this end allowed  
" Princes full Power to Forbid, Prevent,  
" and Punish in all their Subjects, be  
" they Laymen, Clerks, or Bishops,  
" not only Murthers, Thefts, Adulter-  
" ies, Perjuries, and such like breaches  
" of the second Table; but also Schisms,  
" Heresies, Idolatries, and all other Offen-  
" ces against the first Table, pertaining

\* Of *Christi-  
an Sub-  
jection*,  
8<sup>vo</sup> p. 178.

“ only to the Service of God, and Mat-  
 “ ters of Religion. And certainly no-  
 thing less than this can be imply’d in  
 that Prophecy of *Isaiab*, XLIX. 23.  
*Kings shall be thy Nursing-Fathers, and*  
*their Queens thy Nursing-Mothers*: For  
*Nurses* are by Nature bound to provide  
*Food* for their *Infants*, and defend them  
 from *Danger*. The Food of the Church is  
 not *Temporal Prosperity*, but *Truth* of  
*Doctrine*, and *Holiness* of *Life*; and  
 therefore as the same \* Author infers  
 from this Text, “ *Kings and Queens* in  
 “ the New Testament are bound to ten-  
 “ der the Church of Christ, and by their  
 “ Princely Power and publick Laws to  
 “ defend the same from Infection of He-  
 “ resies, Invasion of Schisms, and all  
 “ other apparent Corruptions of Faith  
 “ and Good Manners. This was well  
 understood by that great *Divine* as well  
 as *Prince*, King *James* the First; and ac-  
 cordingly he solemnly \* declares, That  
 to settle the Affairs of Religion, and the  
 Service of God, is the chiefest of all King-  
 ly Duties. He knew that † by virtue  
 of his *Political* Power, he was the *Keep-*  
 er of both *Tables*, the Preserver of true  
*Piety* towards God, as well as right  
 Justice

\* Ibid. p.  
181.

\* Procla-  
 mation for  
 Uniformi-  
 ty, Mar. 5.  
 1603.

† Vide  
*Bramhall's*  
*Answer to*  
*Milistiere*,  
 p. 119.



*in Ecclesiastical Affairs.*

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*Justice towards Men*, and was obliged to take care of the *Souls*, as well as the *Skins* and *Carcasses* of his Subjects. Princes therefore may be sayd in some sense to have *Cure of Souls* by their *Office*; and they can no more wave it, than they can throw away their *Crowns* and *Scepters*. The *Care of Religion* is an inseparable *Attendant* of their *State*, and for the *discharge* of it they cannot avoid being *accountable*. For they are the *Fathers* of their *People*, and of consequence must fall as far short of their *Duty*, if they take no care of their Subjects *Eternal* welfare, as that *Father* of a *Family* would do, who should provide *Food* and *Raiment* for his *Children*, but neglect to bring them up in the *Nurture* and *Admonition* of the Lord, Eph. 5. 4.

*V. Case of  
Legals, p.  
170.*

## IV.

*Kings have Supreme Authority in Matters of Religion.*

**T**HIS is a necessary Consequent of the former: For if Kings are bound to take care of their People's *Eternal Welfare*, and for that end to see that *True Religion* be establish'd in their Dominions; they must have a *Power* answerable to this their *Obligation*, i. e. a *Supreme*. For if their *Power* may be over-ruled by any other, a *False Religion* may be establish'd within their Territories, in despite of all they can do to the contrary; and so they must be obliged to an *Impossibility*. Here then is the true *Original* of the *Regale* or *Supremacy* in *Ecclesiastical Affairs*. For all *Princes* have the same *Right*, because they have the same *Obligation* to govern their People in matters of *Religion*, which they have in *Civil Policy*, i. e. to make *Laws* concerning both, according to the *Will* of *God*. Nor can they divest themselves of their *Authority* in the one, any more than they can in the other



other. They may indeed *abuse* their *Authority* in both; but such an *Abuse* can oblige no one to *Obedience*. For as they cannot establish *Iniquity* by a *Law*, so neither can they *Ungodliness*: As they cannot make *Murder* and *Adultery* to be no *Crimes*, so neither can they *Idolatry* or a *False Religion*. And this is the only Reason why the *Primitive Christians* had no more regard for the *Laws* of *Pagan Emperors* concerning *Religion*. Not that they ever question'd the *Emperor's* Authority in matters of *Religion*; for that they knew to be *radically* and *habitually* the same in all *Sovereigns*, whether *Pagan* or *Christian*: But because for God they *would* not use it, and against God they *could* not use it, they were not to be regarded in the *Use* of it. I cannot explain this better, than in the Words of the Learned and Judicious *Mason*, in that excellent Book of his *de Ministerio Anglicano*: a Book, which had it been as well read and consider'd as it deserves to be, would have put an end to all disputes of this nature long ago. But thus he: \* "Ex hoc loco  
" Apostoli, sc. Rom. 13. 1, 4. constat,  
" Principes etiam Paganos quoad Autho-

\* L. 3. c. 4.  
§. 1.

"ritatem esse *supereminentes Potestates*,  
 "quoad *Officium Ministros Dei in bo-*  
 "num. *Authoritatem* igitur habent su-  
 "pereminentem, ut sint *Ministri Dei*  
 "in bonum. Sed aliud est imperandi  
 "Autoritas, aliud rectus hujus Autho-  
 "ritatis Usus; aliud *Officium*, aliud  
 "laudabilis *Officii Executio*. Hic Usus,  
 "hæc Executio multa postulant quæ in  
 "Paganum, quamdiu est Paganus, non  
 "cadunt, ob quorum defectum Eccle-  
 "siam gubernare non potest. Verum  
 "si, divinâ aspirante gratiâ, evadat  
 "Christianus, si Mens cœlesti lumine  
 "illustretur, si in corde accendatur  
 "Amor divinus, hic in unum confluent  
 "Autoritas & rectus *Authoritatis*  
 "Usus, *Officium*, & laudabilis *Officii*  
 "Executio. Talis Rex in eodem planè  
 "erit statu in Novo Testamento, ac  
 "olim *Jofias & Hezechias* in Veteri.  
 "Nemo enim cordatus dicturus est,  
 "credo, Reges fideles minori esse Au-  
 "thoritate, aut Conditione deteriori  
 "sub Evangelio, quam olim sub Lege:  
 "sub Lege autem erant Supereminen-  
 "tes, non modo quoad *Authoritatem*,  
 "sed etiam quoad *Usum Authoritatis*,  
 "& *Ministri Dei in bonum Subditorum*  
 "Spi-



“ Spirituale, non modo quoad Officium,  
 “ sed etiam quoad Officii Executionem,  
 “ id est, Supremi Gubernatores in Re-  
 “ bus Ecclesiasticis, ut antea osten-  
 “ sum est; ac proinde similis Honor  
 “ piis Regibus sub Evangelio quo-  
 “ que est tribuendus. *i. e.* From this  
*place of the Apostle, viz. Rom. 13, 1, 4.*  
 it appears that even Pagan Princes are  
 as to Authority, the Higher Powers, and  
 as to Office, the Ministers of God for  
 good. They have therefore Supreme Au-  
 thority, that they may be Ministers of God  
 for good. But Authority to command is  
 one thing, the right Use of this Authority  
 is another; the Office is one thing, the lau-  
 dable Execution of this Office is another.  
 To this Use, to this Execution there are  
 many things requisite, which are wanting  
 in a Pagan, so long as he continues such,  
 and for want of which He cannot exercise  
 Authority in the Church. But if by the  
 Assistance of Divine Grace he become a  
 Christian, if his mind be enlighten'd from  
 above, if his heart be enflamed with the  
 Love of God, then the Authority and right  
 Use of that Authority, the Office and lau-  
 dable Execution of that Office are united.  
 Such a King is in the very same state un-  
 der

## The Regal Supremacy

der the New Testament, that Josiah and Hezekiah were under the Old. For no man of sense, I am persuaded, will say that faithful Kings are in less Authority, or a worse Condition under the Gospel than they were under the Law. But under the Law they were Supreme, not only as to Authority, but also as to the Exercise of their Authority; and the Ministers of God for the spiritual good of their Subjects, not only as to their Office, but also as to the Execution of their Office; i.e. they were Supreme Governors in Ecclesiastical Affairs, as I have shewn above, and consequently the same Honour is to be given to Godly Kings under the Gospel. From hence it appears that the Authority of Princes depends not upon their Religion, but the Exercise of it doth. Authority they have, and that *jure Coronæ*; so that This, as \* Bishop Juel saith, is neither increased nor impair'd by their Baptism: But yet the Exercise of it depends upon their being Christians. Could it indeed be supposed that a Pagan Prince would exercise this Authority to the Ends for which God hath entrusted him with it, there is no Question to be made but that it ought to be submitted to; as the Decrees

\* Defence  
of the A-  
pology, p.  
579.



crees of *Nebuchadnezzar* and *Darius*, for the Honour of the True God, *Dan.* 3. 29. & 6. 26. were to be observed out of *Duty* to the *Princes* themselves, as well as *Piety* towards *God*: But forasmuch as this is not ordinarily to be supposed, and no *Authority* can be of force against *God*, it follows that so long as *Princes* continue in *Infidelity*, their *Authority* in matters of Religion must lye dormant; but upon their becoming *Christians* they proceed to the *Exercise* of it; not that they acquire any new Power by their *Admission* into the *Church*, but only exert that which was inherent in them before. Nor do they owe their Power to any *Compromise* betwixt the *Church* and them; but have such an *Original Right* to it, as that it would be *Injustice* to deny it them, and *Disobedience* not to submit to them in the due *Exercise* of it.

And from hence it is evident that the *Regale* is very old, even as old as *Sovereignty* it self. But yet the *Author* of the *Case* \* labours to persuade us, that it is of much later date, and had its *Original* from *Jeroboam* in the *Jewish* Church, and *Constantius* in the *Christi-*  
an.

\* *Case of the Regale,*  
P. 94.

\* Ib.

an. *Jeroboam's Regale* will hereafter fall in the way of our Discourse, and therefore at present I wave it. But we cannot consider *Constantius's* in a more proper place; let us therefore examine that now. And with relation to it, the \* *Casuiſt* tells us, That the *Donatiſts* indeed would have introduced it before by an *Appeal* to the Emperor *Constantine*, upon a Dispute they had raised concerning the Election of *Cecilianus* into the See of *Carthage*; but that the Emperor refused it with indignation, and condemn'd their *Appeal* to him, as a most wicked and ungodly thing. It is pity the Story was not told quite out, that we might have understood the whole proceeding from the beginning to the end; for then we might have form'd a better Judgment of it. But thus to take and tell things by *halves*, is a certain way to be deceived one's self, and to deceive others. I bless God I have no Inclination to either of these, and therefore shall tell the whole Truth of the Matter, as I find it collected to my hands by Bishop \* *Bilſon*, out of *Eusebius*, *Optatus*, and St. *Augustin*. " *Donatus* and his Fellows pretending that  
" *Ceci-*

\* of Christian Subjection, 8<sup>vo</sup>  
p. 205.



*Cecilianus* could not be Bishop of *Carthage*, for many Crimes falsely surmised, and especially for that *Felix* which laid hands on him, had (as they said) betray'd or burnt the Scriptures; not only refused his Communion, and procured his Condemnation in a Provincial Synod by LXX *African* Bishops, but in a Tumult erected another Bishop besides him, divided the People from him; and offering a Bill of Complaint against him to the Proconsul of *Afric*, made a Request to *Constantine*, that he would give them Judges to decide the matter. The Prince, careful to keep the Church in peace, did authorize *Miltiades* Bishop of *Rome*, *Marcus* a Clergyman of the same City, but as then no Bishop, *Rheticus*, *Maternus*, and *Marinus*, three Bishops of *France*, to consider their Allegations, and determine the Strife: Where Sentence passing with *Cecilianus*, the contrary Party appealed from the Commissioners to the Prince. This Appeal *Constantine* might have justly rejected as made from his own Delegates; but seeking all means to pacify the

“ Schism,

" Schism, commanded a greater num-  
 " ber of their Bishops to meet together  
 " at *Arles* in *France*, there to sit in  
 " Council afresh about the hearing and  
 " ending this Quarrel: From whom,  
 " for that they likewise concluded *Ce-*  
 " *cilianus* to be right Bishop of *Carthage*,  
 " the *Donatists* appealed as they had  
 " done from the first; adding now,  
 " That if *Cecilianus* himself were clear,  
 " yet so long as *Felix* was guilty which  
 " order'd and confirm'd him, his Ele-  
 " ction must needs be void. The pati-  
 " ent and mild Emperor seeing them  
 " twice convicted and not contented,  
 " but still murmuring against the Bi-  
 " shops as partial, and daily molesting  
 " his Ears with importunate Suit, ne-  
 " ver troubled Bishop or Council with  
 " the clearing of *Felix*, but appointed  
 " *Ælianus* a Civil Magistrate to search  
 " out the Truth of these latter Accusa-  
 " tions in a Temporal Court; where  
 " *Felix* after diligent Examination was  
 " judicially discharged, and acquitted  
 " from all suspicion of that sacrilegious  
 " abusing the Word of God. Then  
 " were both sides called before *Constan-*  
 " *tine* to receive Judgment at his hand  
 " with



without Appeal; who taking pains in his own Person to sit Judge between them, and exactly weighing what either Part could say, gave Sentence with *Ceciliannus* against *Donatus*; making therewithal a most sharp Law to punish the *Donatists*, if they persisted in their Wilfulness, as dissentious Schismatics from the Church of Christ: Which Rigor the Christian Emperors that followed, did rather increase than diminish. And now, if to appoint *Delegates* one after another to hear and determine a Cause, and after all, to judge of it, and give Sentence in Person, argue a *Supremacy*, *Constantine* exercised a *Supremacy* in this Cause to all intents and purposes. And certainly those men must be utterly blinded with *Prejudice*, who, against so notorious Matter of Fact, can believe that *Constantine* absolutely refused to concern himself in this Case, upon no better grounds than a few warm Expressions he made use of, merely to divert an invidious business; and in which, being then but a young Christian, he distrusted his own Skill. But because our Author alledges the *Donatists*

\* Aug. E  
pist. 162.  
† Optat. de  
Schism.  
Donat. l. 2.

*tists* as the first *Patrons* of the *Regale*, I shall let him know that they were the first that openly *opposed* it too. For when they found that instead of being protected, they were like to suffer by it, then their Cry was, \* *Non debuit Episcopus Proconsulari judicio purgari: & † Quid Imperatori cum Ecclesiâ?* And by this *Opposition* to the *Regale* they distinguish'd themselves from the *Catholicks*, as much as by any other of their *Tenets*. So that he falls foul upon his *Friends*, when he vilifies the *Donatists*, who exactly concurr'd in opinion with him as to this matter; as they did in another too, *viz.* in appropriating to themselves the Name of the *Church*.

\* Ad Soli-  
tar. vitam  
agentes.

Well; but did not *Athanasius*, *Hosius*, &c. condemn *Constantius* for meddling in holy things? It is true, they did, but it was not his meddling absolutely, but his *Way* of meddling, which they condemned; for he *abus'd* his Power in a most *Tyrannical* manner, as is apparent from that very \* *Epistle*, from whence the *Casnist*, or rather the *Historical Collector*, hath taken his *Quotations*. Had *Constantius* used his Power as he ought to have done, *Athanasius*

of



If all men living could not have upbraided him as acting without *Precedent*. For he himself appeal'd to the Emperor *Constantine* from the *Synod of Tyre*, and caused them all to be convened before him; and afterwards resumed his Episcopal Chair by virtue of an Imperial *Rescript*, though he had been deprived by a *Synod*. Nor could *Hosius* absolutely condemn an Emperor's acting in *Ecclesiastical Affairs*, when he himself had sat as *President* in two several *Councils* call'd by the *Emperor's* Authority. And by the way, The same Answer may be given to the *Objection* drawn from St. *Ambrose's* Behaviour towards the Emperor *Valentinian* the Younger, whose *Impious* and *Tyrannical* Proceedings he very justly *opposed*; but yet can by no means be thought to have disallow'd that *Supremacy* in the Person, of which his own advancement to the See of *Milan* was so notorious an *Instance* in the Father; as we shall have occasion hereafter fully to make appear.

C

The

The *Regale* therefore is of an higher date than *Constantine's* Reign; for it sufficiently appears to have been exercised by *Constantine* the Great; and it is impossible it should have been exercised sooner, he being the first *Christian* Emperor. And here in *England*, although our \* Author very confidently asserts it to be no elder than *Popery*, and to be the Effect of *Popery*, yet we may discover even in the eldest and darkest times, some footsteps of it. For when *St. David* would have removed the Archiepiscopal See from *Caërleon* upon *Usk* to *Menew*, now *St. David's*, he could not do it by his own Authority, but was forced to ask the King's Leave. And the Words of the \* Historian are, *Tantum cum Rege Arthurō gratiam iniit, ut ab Urbe Legionum ad suam Meneviam Archiepiscopalem transferret Sedem*; i. e. He gain'd so far upon King *Arthur*, as to translate the Archiepiscopal See from *Caërleon* to his own *Menew*. And he did it at last, *ope & licentiā inclyti Regis Arthurī*, with the Assistance and Leave of the renowned King *Arthur*. But

\* Case of  
the *Regale*,  
p. 111.

\* V. Spelman  
Con. cil. Tom.  
I. p. 61.

But



more of this hereafter, when we come to treat of the *Nomination* and *Investiture* of Bishops.

Kings then have *Supreme* Authority in matters of *Religion*; but yet they have not in all matters of *Religion* *alike* Authority. Some things are of the very *Essence* of *Religion*, as the *Articles* of *Faith*, the *Moral Precepts*, and positive *Institutions* of the *Gospel*. Other things are only *Circumstantial*, and the *Appendages* of *Religion*, as the *Persons*, *Times*, *Places*, and *Ceremonies* appointed for Religious *Worship*: And in these the *Power* of *Kings* is more *extensive* than in the other. For as to the *Essentials* of *Religion*, all their *Authority* amounts to no more than an *uncontrollable* Power to command that the true *Faith* be profess'd, and the *Precepts* and *Institutions* of the *Gospel* observed by all their *Subjects*. Thus much they *may* do, and thus much they are *obliged* to do. For since they are the *Ministers* of *God* for good, they cannot do more good in the *World*, or *serve* *God* more acceptably,

bly, than by employing their *Authority* for these purposes. Accordingly we find the *Names* of those *Jewish* Princes that banish'd *Idolatry*, and restored the *Worship* of the true God, recorded in Holy *Writ* with Honour; and those *Christian* Princes who made *Laws* for the Suppression of *Heresies*, and Establishment of the *Orthodox* Faith in the Church, have their *Memories* for ever blessed. And hence it follows, that if Princes may make *Laws* for true Religion, they must *judge* of Religion; unless they may make *Laws* for they know not what.

\* *Case of  
the Regale,  
p. 124.*

\* Some Men make a great *Outcry* against Princes *judging* in Matters of Faith; but it is no more than what every man doth, and what every man must do, that will *render a Reason of the Hope that is in him*. And if *Princes* have that common *Right* of *judging* in their *private* Capacity, what *Religion* themselves must follow, they may certainly *judge* too in their *publick* Capacity, what *Religion* is fit to be bound upon their Subjects: Unless we will say, that they must have an *Explicit* Faith in one  
Capa-



Capacity, and an *Implicit* in another; than which nothing can be more *absurd*. If Princes must not be directed by their own *Judgment* in making Laws for Religion, I would fain know whose they must be directed by. That of the *Church*, you will say; *i. e.* of the *Ecclesiasticks*, to whom by a common Mistake the *Name* of the *Church* is appropriated. However, this is in some measure true: For Princes are bound in all matters of Religion, to *advise* and *consult* with the *Bishops* and *Pastors* of the *Church*, and to pay a great *Deference* to their *Judgment*. But suppose they give a *wrong* *Judgment*, as I think I may with *Modesty* say they have sometimes done; are Princes bound to follow *that*? If they are, I know not wherein *Pontius Pilate* was to *blame* for condemning our *Saviour*; or how those Princes are to be *commended*, or indeed so much as *excused*, who in *opposition* to the *Ecclesiasticks* have banish'd the *Idolatry* and *Superstitions* of *Popery* out of their *Dominions*. But so far are they in this *Case* from being obliged by the *Judgment* of the

## The Regal Supremacy

*Ecclesiasticks*, that although all the *Bishops* and *Priests* in their *Domini-  
ons* should join in *opposition* against  
them, they are bound to see that the  
*Doctrine* of the *Gospel* be not *corrupt-  
ed*; and have *Power* to *punish* all  
those, of what *Rank* or *Quality* so-  
ever they be, that shall *teach* or *act*  
any thing against it. And herein  
consists the *Supremacy* of *Kings* with  
regard to the *Essentials* of *Religion*.  
A *Power* to which the *Church*, what-  
soever some men may think of it, is  
very much *beholden*, and for which  
she hath great reason to give *God*  
*Thanks*. Had it not been for this,  
*Idolatry* might have *reign'd* undisturb'd  
in the *Jewish Church*, and so it might  
have done in ours too, to the *End* of  
the *World*, for ought that the *Eccle-  
siasticks* would have done for the *sup-  
pressing* of it. It is therefore a *Mis-  
take*, and *prejudicial* to *Religion*, to  
restrain all *Authority* concerning it, to  
the *Clergy* only; For *Kings* have an  
*Authority* in it as well as *They*; on-  
ly it differs in the *Manner* of *Admi-  
nistration*. For as the *Clergy* are com-  
mission'd to *declare* and *preach* it, so  
are



are Kings to establish the Profession and Practice of it by Civil Sanctions. And as those, if they preach False Doctrines, are accountable to their Prince, so let the Prince know, that if He doth any thing against the Truth, he is accountable to God. And what mischief, after all, can possibly arise from allowing Princes Supreme Authority to establish Truth? No body supposes that they have any Authority to establish Error, or to set up what Religion they please. No; they must make the Word of God their Rule, and so must all others also that have any regard to Religion. For neither Prince, nor Priest, nor Apostle, nor Angel from Heaven, hath such a Dominion over our Faith, as to oblige us to believe and practise whatsoever they shall teach and enjoin. Articles of Faith, and Duties of Religion, are founded upon no other Authority than that of God himself; so that whosoever shall offer to us another Faith than that which we have received, let him be accursed, Gal. 1. 8. There is no danger therefore of any Diversity of Religions

Case of the  
Regale,  
p. 131.

arising from hence. For *Truth* being *one*, and all *Princes* obliged to observe *one Rule of Truth*, let them but do their *Duty*, and the *Publick Religion* must of necessity be *one* and the same all the *World* over. Nor can *Religion* be made to serve *Worldly Politicks*, and to answer every *Turn of State*. For the *Faith* is not to be *turn'd* or *twisted* one way or another; and if *Princes* should offer to *pervert* it, every man is bound to look well to his own *Conscience*, and to walk not according to the *Will of man*, but *according to the Will of God*.

Case of the  
Regale,  
p. 132.

Now if there be any *Princes* so wretchedly *stupid*, as to imagine that there is no such thing as *true Religion*, merely because God hath given them *Authority* and *Charge* to see that *True Religion* be establish'd in their *Dominions*, I must confess they are very well prepared to swallow *Transubstantiation*, and all the other *Absurdities* of the *Church of Rome*. And if any of them have turn'd *Papists* upon such a *Motive*, I know not of any



any Reason and Sense that could have withheld them. There have been Princes who have given the World too much cause to suspect that they had lost all notions of Good and Evil. But he that can impute this to any Sense they had of their Duty and Power to make Laws for the Establishment of Justice and Sobriety, must be as absurd as they that could make the Inference.

Thus much may suffice for the Authority of Princes as to the Essentials of Religion, which being things in their own nature immutable and ord'ed by God himself, All that Princes have to do concerning them is only with the Civil Sword to defend and maintain them, they can neither add to nor diminish one tittle from them. But their Authority as to the Circumstantials of Religion reaches much further. For these being things in their own nature indifferent, they are the proper Subjects on which Authority is to be exercised, and Princes being the Ministers of God must have supreme Authority over all things which

which God himself hath determined. They have Power therefore over the *Circumstantials* of Religion so as to alter them by *abolishing* some and *appointing* others as they shall see Cause, provided always that the *Apostolical* Rule of Decency and Order be inviolably observed.

\* *Case of  
the Regale,  
p. 34.*

For a farther proof that *Princes* have the *Supremacy* of Power over the *Circumstantials* of Religion, our *Divines* have all along insisted upon the Examples, of *David*, *Solomon*, *Hezekiah*, &c. who made Laws concerning them, and in particular concerning the order of the *Courses* of the *Priests*, and the time of their *Attendance* upon the *Divine Service*. But to this it is \* reply'd, that these *Kings* were *inspired* themselves, or at least had received particular *Instructions* from God about those matters: be it so; but doth it thence follow that they acted herein merely By virtue of their *Inspiration*? *Gad* and *Nathan* and other *Prophets* were *Inspired* likewise and *instructed* immediately by God concerning the same things, and yet we do



do not find that the *doing* of them is any where attributed to *them*, but only to the *Kings*. A strong Argument that they were *Regal Acts*, and done by the *Kings* in that Capacity.

V.

*Kings have Supreme Authority over all Persons exercising Spiritual Authority, or performing Divine Offices in the Church.*

NOT that it is in the Power of Kings to *commission* any one to exercise *Spiritual Authority* or to perform *Divine Offices* that is not in *Holy Orders*. But whether any particular Person among their *Subjects* shall enter into *Holy Orders*, or being in *Holy Orders* shall execute the Office of a *Clergyman* within their *Dominions* depends upon their *Will* and *Pleasure*. For whether *Sacred Offices* be perform'd by this or that particular Person, is but a *Circumstance* of Religion, and therefore in its own nature *indifferent*, and of consequence wholly

wholly Subject to the Power of the Prince. It is true indeed, that the Clergy when duly possess'd of their places have such a Right to them as no Man can invade without grievously offending against God himself, Who hath always shewn a particular concern for their Persons, in that he telleth us the very hairs of their heads are number'd, Mat. 10. 30. hath reprov'd even Kings for their sakes, and given Charge concerning them, saying Touch not mine anointed and do my Prophets no harm, Ps. 105. 14, 15. But yet by misdemeanors they may forfeit their Titles, and in that case Kings have such a Power over them, as, if they see good, to suspend or deprive them. If Authorities could prove this, it hath been sufficiently proved by the Author of the *Second Defence of the Church*, Printed Anno Dom. 1698. However I shall corroborate their Testimony, by the Addition of one or two more, whereof the first is Bishop Sanderson, who saith that the King hath power, if he shall see cause, to suspend any Bishop from the Execution of his Office for so long time as He shall

think



think good, yea, and to deprive him  
 of the Dignity and Office of  
 Bishop, if he deserve it. [Sanderson  
 Episcopacy not prejudicial to Regal  
 Power, pag. 117.] The other is Arch-  
 bishop Sandcroft, who saith, the Of-  
 fice it self of a Bishop is from Christ,  
 and yet the Exercise of it only by and  
 under the permission of Pious Kings.  
 Sermon at the Consecration of Seven  
 Bishops on the First Sunday of Ad-  
 vent, 1660, page 10.] If these Au-  
 thors must pass for *Regalists* and E-  
 rastianians too, I know not who can ex-  
 cuse, or who indeed would desire to  
 escape. But by the way, Men should  
 take some care, and not throw about  
 nicknames thus at random, especially  
 when they have been told by a very  
 good \* Author that *Erastian*, is but  
 another name for *Deists*; and by a  
 better still, that there are good Pre-  
 sidents for it, *Prov. 26. 18.*

\* Method  
 with Deists  
 and Jews.

But to return. I find the Supre-  
 macy of Kings over Ecclesiastical Per-  
 sons impugn'd in two Instances espe-  
 cially, viz. the Nomination of Bishops  
 and Deprivation of them. If it can  
 be

be made out in these two, there is little room for any farther dispute.

First then as to the *Nomination* of Bishops. That this doth most properly belong to *Kings* we have great reason to conclude, because they cannot discharge the *Trust* God hath committed to them without it. For since they are entrusted by God with the *Care* of Religion, is it not requisite that the *Choice* of those *Persons* upon whom Religion doth so much depend should be chiefly theirs? In the *Primitive Church* the *Choice* of Bishops was indeed made by the whole body of the Church both *Clergy* and *Lay*, and good reason there was for it, there being then no *Christian* Emperour to whom the *Choice* belonged. And the custom having obtained, the first *Christian* Emperours did not insist upon their *Right*, but left it to proceed as it had begun. But afterwards the way of choice being in many places attended with tumult, uproar, and oftentimes bloodshed too, they saw it necessary for the prevention of these mischiefs to exert their Authority,



sometimes *limiting* the manner of the choice and sometimes *taking* it wholly to themselves. This is so *notorious*, that he must have read nothing of *Ecclesiastical* Story who knows it not. And yet the *Author* of the *Case* of the *Regale* (whether out of his own *ignorance* or, what is worse, *presuming* upon that of his *Reader*, I know not) very gravely tells us that the *Custom* of the *Emperours* *choosing* *Bishops* prevail'd but from the time of *Charles* the Great, And that it was establish'd by the *Authority* of *Pope Adrian*, I. That other *Kings* did thereupon imitate the *Emperours* Example, and at last extended it even over *Rome* it self, till, after 300 Years continuance, during the Reign of 60 *Popes*, *Pope Hildebrand* set himself against it. The *Anti-Regalists* then followed at the heels of a worthy *Captain* it seems. But because *Onuphrius* is quoted as the first *founder* of this *Story*, I will give it out of *Onuphrius* himself; and it is to this effect: When *Justinian* the *Emperour* had by his General *Narses* driven the *Goths* out of *Italy*, and the Country, with the City of *Rome*,  
was

*Case of the  
Regale. p.  
123.*

was lay'd to the *Eastern Empire*,  
A new *custom* commenced in the  
*Election* of *Popes*. It was this: Upon  
the death of the *Pope*, the *Clergy*,  
*Senate* and *People* of *Rome* were to  
proceed immediately to a new *Election*  
as formerly, but the *Pope elect* was  
not to be *consecrated*, till his *Election*  
was *confirmed* by the *Emperour* of *Con-*  
*stantinople*, and his *leave* granted by his  
*Letters Patents* for his *Consecration*.  
This course was taken in all likelihood  
to secure the *Allegiance* of *Popes* to the  
*Eastern Emperours*. And the *custom*  
lasted to the time of *Benedict, II.* for  
whom the *Emperour Constantine* had  
such an esteem, as for his sake to  
grant that *He*, whom the *Romans*  
should chuse for *Pope*, should for the  
future be *immediately* *consecrated* with-  
out Staying for the *Emperour's con-*  
*firmation*. *Adrian I.* granted this *Right*  
anew to *Charles* the great and his  
*Successors*, from whom when *Adrian*  
*III.* had taken it, *Leo VIII.* restored  
it to the *Emperour Ottho I.* but at  
last *Gregory VII.* took it from *Henry*  
*IV.* and gave it to the *Cardinals, Clergy,*  
*Senate* and *People* of *Rome*; but the  
Suc-



Succeeding Popes restrain'd it to the Cardinals, to whom it belongs at this day. The occasion upon which Onuphrius was moved to give us this account, was an expression of Platina's in the life of Pelagius II. who he saith was chosen Pope, *in iussu Principis*, i. e. without the Emperor's express leave; the City being at that time so closely Besieged that no body could stir out of it. For the Clergy then did nothing in the choice of a Pope, unless the Emperor had approved of the Election. And Gregory was sent to pacify the Emperor upon it. With what face then can any Man assert that the Emperor's Authority in the Election of Bishops began in Charles the Great, when by the confession of the Romanists themselves the very Pope could not be chosen without their leave for above 200 Years before?

Well! but have there not been Princes who have renounced this Authority? One Precedent of a King who recedes from what the Law or Custom hath made his Rights, out of Conscience is of more Weight than

D

many

*Case of Reg.  
gale. p. 100,  
104.*

many *Precedents* of those who out of *Interest* and *Politicks*, do grasp at all, stretch the *Regale* to the utmost, and extend their *Conquest* over the Church.

This *Author* hath, I perceive, a peculiar *happiness* in writing, beyond that of other men. If he produce any *Precedents* they must needs be of *weight*; but let others produce never so many, they must be all so *light* as to be blown away with a puff of *Breath*. But indeed he ought to have some *allowances* granted him in this; for the *Instances* he produces are so few that he had need make the *best* of them, and those of others so many that he hath too much reason to fear they should oppress him with their *weight*. But yet I would fain ask him; How is he *sure* that if *Princes* do at any time *insist* upon their *Rights* they must needs do it out of *Interest* and *Politicks* only? and again, If at some times they *recede* from their *Rights* it must needs be out of *Conscience*, and supposing it be; it must needs be out of *Conscience*



*science well informed?* If he be *sure* of this, then I must confess his *Instances* will bear all the weight he lays upon them; but if he be not sure of this, as I am sure he cannot be, then do his *Instances* deserve as little regard as he pays to those of others, that is, none at all. However I shall examine one of his *Instances*, but I have not Books by me to follow him through to the rest.

And that is of the Emperour *Valentinian*, Who upon the Death of *Auxentius* Bishop of *Milan*, an *Arrian*, being solicitous about a *Successor* into so great a *See*, and where the *Church* was so miserably divided, call'd the *Bishops* together and recommended the choice of a fit person to them. This was *Renouncing* the *Rezale*, sayth the *Author* of the *Case*; if so, then I say, the *Bishops* were even with him, and renounced their *Rights* too, for they desired him to chuse one himself. However he declined it, whereupon they withdrew and enter'd into *Consultation* about it. In the mean time the *City* was in an *uproar*, some crying out for one and

*Case of Re-  
gale, p. 100.*

some for another: till *Andreas*, who was *Prator*, happily interposing, the whole multitude concurred in the choice of him for their *Bishop*. Which the *Emperour* understanding, without waiting the *Result* of the *Bishops*

† Note, This was directly contrary to *Concil. Nic. I. can. 2.* So that the *Emperour* stretch'd the *Regale* to the utmost, if ever *Emperour* did.

\* *Theodoret. l. 4. c. 7.*

debates, commanded that He should be † forthwith *Baptized* and *Consecrated*. He commanded, so saith the \* *Historian*, this was *factus pro Imperio*;

one would have thought that a *Renouncer* of the *Regale* should have humbly petitioned the *Bishops* and have besought them to lend a favourable and benign ear to him. But *We Command* was the *Language* of those times, and I think it becomes the Mouth of a *Prince* much better than

Case of the  
Regale. p.  
117.

*We desire and request*, which \* our *Author* observes to have been for some time the *Form* of the *Conge d'estires* with us. Whatsoever *Forms* of *Nomination* of *Bishops* or *Princes* may have sometime been reduced to, or however they may have thought fit to forego their *Right* in it, either through *Bigottry* to the *See of Rome*, or through fear



*fear of the Ecclesiasticks who had usurp'd*  
*an ascendancy over them; it is certain*  
*that the Nomination and Investiture*  
*of Bishops was their Right, and is*  
*sufficiently proved so to have been*  
*by Mason. de Ministr. Angl. l. 4. c. 13.*  
*He there gives us several instances of*  
*this both before and since the Con-*  
*quest, enough, in all conscience, to*  
*ballance the Inscription on the Hos-*  
*pital at Ledbury. But I shall not*  
*insist upon them, but only upon the*  
*Reasons upon which this Right is*  
*founded. And it belongs to our*  
*Kings, as he saith, upon a double*  
*account, viz. the Right of Supre-*  
*macy, and the Right of Patronage.*  
*As to the first, He produces out of*  
*the Old Testament the Example of*  
*Solomon placing Zadok in the room*  
*of Abiathar. Which if it be not a*  
*standing rule for Princes to act by,*  
*shews us at least what Princes are*  
*allowed to do by the Word of God.*  
*Then from Is. 49. 23. he proves it*  
*to be the duty of Princes to furnish*  
*the Church with Bishops and Pastors.*  
*As for the New Testament, that gives*  
*us neither Precept nor Example in*

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the Case, whence he concludes that God hath left it to the disposition of the Church, and therefore since the King is not only the chief Member of the Church, but the Supreme Governour of it too under Christ, the chief Rule in this matter must belong to him. This He proves from the Tenour and design of all our Laws, and saith it is a gross mistake to suppose this to have proceeded from the Indulgences of the Popes; for there was nothing they more desired to usurp and engross to themselves, as may appear from the Statute of Praevisors, He concludes this head thus, Wherefore the antient Laws and Customs of this Realm agreeing with the universal Practice of the most renowned Princes (which the whole Christian World hath commended and approved) sufficiently declare the Right and Priviledge of our Kings in this matter. As for the Right of Patronage, he shews us that the Bishopricks were founded and endow'd by our Kings, from whence a Right of Presentation must accrue to them both by the Imperial Laws, and Canons of the Church.



Church. And this I think may be sufficient to prove the Right of Princes to the Nomination of Bishops.

II. As to Deprivation of Bishops; If Princes have not a Right to this; how shall they prevent their people's being poison'd with false Doctrines in case of a corrupted Clergy? and how could the Reformation ever have been brought to pass, if the Popish Bishops and Clergy must have held their places, till they had thought fit either generally to have resign'd, or to have deprived one another? Our Princes therefore did nothing but what was their duty, and consequently what they had full power to do, when they deprived so many of them, as were incorrigible, of their Stations in the Church. They herein follow'd the best examples they could meet with in Scripture, such as Josiah who put down the Idolatrous Priests, 2 Chron. 23. 5. and Solomon who deprived Abiathar and put Zadok in his room, 1 Kings 2. 27, 35. Our new Separatists have been so hard pinch'd with this Instance, that

Case of Re-  
gals, P. 94.

they have labour'd with might and main to rid themselves of it. And to do them justice, they have upon this Subject shewn what humane Wit well whetted can do. The Papists before them try'd their utmost against it, but it must be confessed that these Men have gone far beyond them; and the Author of the Case presumes they have set it so far aside that it is now \* no more to be insisted on. I shall however venture to insist upon it once more, and for that reason shall examine the whole force of his Argument against it, which is to this effect, viz. " If Abiathar was High Priest properly so called, he was so by unjust Usurpation, and a King may justly expel an Intruder. But it is most likely that He was no more then second High-Priest, and that Solomon did not deprive but banish him; and appointed Zadok, the Supreme High-Priest, to supply his place; just as if the King should banish the Archbishop of York, and appoint the Archbishop of Canterbury to supply his place during



" during his absence. Or supposing  
 " it to be a Sentence properly of  
 " *Deposition*, which *Solomon* pass'd  
 " upon *Abiathar*, nothing is to be  
 " inferr'd from it, because *Solomon*  
 " was a Person extraordinarily *inspi-*  
 " *red*, and moreover had a particu-  
 " lar *Command* of God for it. Last-  
 " ly, there is no *arguing* from *Exam-*  
 " *ples*. This is the *Sum* of his *Ar-*  
 " *gument*; let us now see how he makes  
 it out. And first, that if *Abiathar*  
 were properly High-Priest, he must  
 be so by *Usurpation*. This he in-  
 fers from the *Judgments* of God up-  
 on the House of *Eli*; which, as he  
 would fain have us believe, must  
 needs be for that *craving* Sin of the  
*Regale*; though God himself hath  
 told us that 'twas for his *suffering*  
 his Sons to run out to that *Excess*  
 of *Wickedness* they did. *I have told*  
*him that I will judge his House for*  
*ever, for the Iniquity which he knows,*  
*because his Sons made themselves vile,*  
*and he restrained them not,* 1 Sam.  
 3. 13. Now that the House of *Eli*,  
 by what means soever they gained  
 the *Priesthood*, yet held it not by  
*Usur-*

*Usurpation*, we have great reason to conclude, because we find that God himself *approved* of their *Take*, and promised to support them in the Possession of it. I said indeed that thy house, and the house of thy Fathers, should walk before me for ever, 1 Sam. 2. 30. A conditional Promise this, as that to Phineas, Numb. 25. 11. unquestionably was; but yet it would be a very strange thing, if God should so far have countenanced an *unjust Usurpation*. *Abiathar* therefore was no *Usurper*. Let us see, 2dly, Whether he was only *Second High-Priest*. This is said to appear from hence; viz. That neither *Eli* nor any of his Sons are mention'd either in 1 Chron. 6. or Ezra 7. in both which places we have the *Line* of the *High-Priest*. But how shall we know that it was the design of the Holy Penmen in those places to give us a *Catalogue* of the *High-Priests* as they *succeeded* one another in *Office*? It seems to me that there was nothing more intended than the bare *Pedigree* of *Jehozadak* in the one place, and of *Ezra* in the other. So that I know not



not who could expect to find *Eli* or any of his Family there. For my part I should have been strangely surpris'd to have read that *Zerahiah* begat *Meraioth*, and *Meraioth* begat *Eli*, when I knew it to be no such thing. The very Expression of *begetting* does manifestly declare, that in 1 *Chron.* 6. nothing was regarded but the *Descent* of the High-Priest then in being, by way of *Natural* Generation. And that in *Ezra* 7. no more was meant, is evident, in that the *Genealogy* begins with *Ezra* himself, who was not *High-Priest*, and omits *Josbua* that was. And besides, there are no less than *Six* several *Descents* wanting in it, and in that part of it too which alone could have served our present purpose.

But *Zadok* was *Prince* or *Ruler* of the *Aaronites*, 1 *Chron.* 27. 17. But doth it thence follow that he must needs be *Supreme High Priest* too? At that rate one might conclude, that because *Elihu* was *Ruler* of the *Tribe of Judah*, he must be withal the

the Eldest of David's Brethren; whereas the contrary is manifest from 1 Sam. 16. To be Ruler of the Family of the Aaronites, as a Family, was one thing; to be Supreme over them, as Priests, was another; and therefore Zadok might very well be the one and not the other. Nay, that he was not Supreme High-Priest when he was Ruler of the Aaronites, is certain, unless we will have him to be an *unappointed* High-Priest. For he was not anointed to be Priest till after this, as appears from 1 Chron. 29. 22. *And they anointed him, i. e. Solomon, unto the Lord, to be the chief Governor, and Zadok to be Priest.* Where by Priest must of necessity be meant the Supreme High-Priest; for certainly the Supreme High-Priest could no more stand in need of a new *Unction* to discharge the Office of a Secondary Priest, than the Archbishop of Canterbury wants a new *Consecration* every time he hath occasion to supply the Place of any one of his *Suffragans*. And to put this beyond all dispute, the LXX say expressly, that Solomon made Zadok Chief Priest,



in the room of *Abiathar*,  
*1 Kings* 1. 35. — But 3<sup>dly</sup>, How doth  
it appear that *Solomon's Ejection* of  
*Abiathar* was only a *Banishment* of  
him, not a proper *Deprivation*? Be-  
cause the words of *Solomon*, *1 Kings*  
1. 26. imply nothing more. But then  
the words of the next Verse do; So  
*Solomon thrust out Abiathar from be-  
ing Priest unto the Lord*. Who ever  
called the *Banishment* of a Priest, a  
*thrusting* him from the *Priesthood*?  
The same *Propriety* of Speech would  
have term'd the *Slaying* of *Joab*, the  
*taking away* his *Commission*. *Solo-  
mon* himself did certainly look upon  
him as *deprived*; for he took the  
same care to supply his Place, as if  
he had been naturally dead. *Zadok*  
the Priest did the King put in the  
Room of *Abiathar* to all intents and  
purposes, as well as *Benaiah* in the  
Room of *Joab* over the Host, *1 Kings*  
1. 35. The Expression is the same  
both in the *Original* and *Translations*.  
And now if *thrusting* one out from  
being Priest, and *putting* another in  
his room, be not a proper *Depriva-  
tion*, I know not what is. It is cer-  
tain

\* *Case of  
the Regale,  
p. 40.*

tain that all Mankind have understood it so to be, till now that some few have taken incredible pains to find a Knot in a *Bulwark*. \* But will not this prove too much, and imply not only a *Deprivation*, but a *Degradation* too? I answer, No; for there is no necessity it should imply any thing more than the *divesting* him of his *Right* to execute the *Office* of an High Priest: So that had it pleased *Solomon* to have *restored* him, he might have officiated by *Virtue* of his former *Unction*. But 4thly, It is objected, That *Solomon* was extraordinarily *inspired*, and besides had a particular *Commission* from God to deprive *Abiathar*. As for *Solomon's* Inspiration, no body will question that; but whether every thing he did was by *Inspiration*, is very much to be question'd. And what signify'd his *Inspiration* in this Case? The *Punishment* of a *Treytor* belongs to the *Regal* Office, not the *Prophetical*. And as for any particular *Command* of God in this Case, I would fain know where that is to be found?

\* *Case of  
the Regale,  
p. 48.*

Why, \* It is to be reckon'd as a  
part,



part, and a principal part too, of the new ordering of the Courses of the Priests, which was particularly commanded by God to David. But how then comes it to pass, that in the Account we have of these Courses in 1 Chron. 24. where, as the Author of the Case himself observes, \* Every thing is most particularly set down, we find not so much as one word concerning this part? The Omission of this part, this principal part, had it been really such, was very gross. But no more need be said to this; the Silence of the Scripture in this Case is a sufficient Refutation of so groundless a Surmise. Well; but \* God had foretold this of the House of Eli, and Solomon designed the fulfilling of the Prophecy; So Solomon thrust out Abiathar from being Priest unto the Lord; that he might fulfil the Word of the Lord, which he spake concerning the House of Eli in Shiloh, 1 Kings 2. 27. Even so did the Soldiers part Christ's garments, casting Lots; that it might be fulfill'd which was spoken by the Prophet, They parted my garments among them, and up-

\* Case of  
the Regale  
p. 45.

\* Case of  
Regale, p.  
58.

\* *Case of  
the Regale,*  
p. 60.

on my Vesture did they cast Lots; *Mat. 27. 35.* And that is Answer sufficient. But lastly, \* It is dangerous arguing from Examples, especially where there is but one in the Case, that can possibly be allowed of. We have but one Example neither of Laymen eating the Shew-bread, and yet our Saviour argued from it, *Matth. 12. 4.* And that we may as safely argue from this Fact of Solomon's, we have great reason to think, when God himself gives this Character of him, viz. That he loved the Lord, walking in the ways of David his Father; only he burnt incense, and sacrificed in high places, 1 Kings 3. 3. Which Exception, saith Suarez, a Man sufficiently prejudiced against us in this matter, shews that Solomon had to that time kept the rest of the Commandments, and consequently that he sinn'd not in this Act.

The Case therefore of Solomon and Abiathar remains still a Precedent wherein Princes may see what Power God hath given them over the Au-

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*thors* or *Abettors* of *Sedition*, whatsoever their *Dignity* be in the *Church*.

Thus much for the *Deprivation* of *Bishops*. There remains nothing more upon this *Head*, but to consider the *Objections* that are made against the *Power* of *Princes* to *Nominate* and *Deprive* *Bishops*.

First, We are \* told, That to allow *Princes* the *Power* of *depriving* *Bishops*, is to give them *Power* utterly to *vacate* that *Commission* they received from *Christ*, and thereby to lay *Religion* at the *Mercy* of the *State*. This indeed were a good *Objection*, did we allow *Princes* a *Power* of *issuing* out a *general* *Sentence* of *Deprivation*, and to *incapacitate* every *Man* in their *Dominions* for the *Exercise* of *Spiritual* *Offices*. But this we allow not; for all that we say is this, *viz.* That *Princes* cannot wholly forbid the *Word* of *God* to be *preach'd*, and *Sacraments* administered to their *People*; but yet they may, if there be just *Cause*, forbid any one *particular* *Person* the *Exer-*

\* *Case of*  
*Regale;*  
*p. 2.*

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cise

Case of  
Regale. p.  
85.

cise of these Functions. And the Person that is thus forbid, is obliged in Conscience to forbear, so long as he sees the Church is supply'd by others. Nay, he must acquiesce even in an unjust Sentence, so long as his Person only is struck at, and not his Office. But it is urged, \* That if the State may deprive One Bishop, it may Twenty six. Who doubts it; provided there be enough left to supply the Necessities of the Church, or others substituted in their Rooms? Twenty six hold by one and the same Tenure, and are subject to the same Power that One is. But yet to argue, That if One Bishop in a Kingdom may be deprived, Twenty six may, when there are no more in it than Twenty six; is as reasonable as to argue, That if one Day in a Year may be appointed for a Fast, 365 may. As therefore in this last Case, should a Prince be so humorous as to issue out such a Decree, his People would not be obliged to fast all the Year round; so neither in the other, should a Prince be so prophane as to abolish by an Act the whole College

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of Bishops, no body would be obliged to take any notice of it. For it can never be the Duty of any People to suffer themselves to be starved either in Body or Soul.

2d Object. No Authority less than that which gives any Commission, can stop the Execution of it. This is not always true; for the Archbishop alone may suspend a Bishop, whereas he cannot consecrate one without the Assistance of Two more at least. But granting the Position to be as true as it is false; we do say, That the Authority of Kings is equal, nay, superior to that of any Bishop's in the World; because it is that to which every Soul, and therefore Bishops themselves must be subject, Rom. 13. 1.

3d. Object. \* There is a Spiritual Relation or Marriage instituted by Christ betwixt the Bishop and his Subjects, whereby the Bishop becomes the Husband of his Church, and by outward Communion with the Bishop we partake of the inward Communion with Christ. This Marriage

\* Case of  
the Regale,  
p. 3, 4, 5.

to our *Bishop*, whereby we are by *Proxy* married to *Christ*, cannot be *dissolv'd*, nor we *divorc'd* from him, and married to another *Bishop*, but by a *competent* Authority, without incurring the Guilt of *Spiritual* Adultery. Now if the *Authority* of *Secular Princes* be *competent* for this, they may *divorce* all the *Churches* in the *World* from their *Bishops*, and either give them no more *Bishops*, or set over them the *basest* of Men for their *Bishops*: And then it is in the *Power* of *Infidel Kings* to appoint *Proxies* for *Christ*, and oblige him to *consummate* the *Marriage* they have made for him by such *Proxies* as they please to name. It is merely because I would not overlook any thing that hath but the *Face* of an *Argument*, that I take any notice of this; the little *Sense* that is in it, being contain'd in the first *Objection*, and there answer'd: All the rest is nothing but the *abuse* of a *Metaphor*, and that too *inconsistent* with it self. We have here a *Bishop* call'd the *Husband* of his *Church*, by a very hard *Catechresis*, and an *Argument* drawn from it,



as if it were to be understood in the properest Sense. A way of arguing, which if allow'd of, would make very pleasant Work: For at this rate we shall have a World of *Spiritual Adulterers* and *Adulteresses*. Every Translation of a Bishop from one See to another, must of necessity make Four: For the translated Bishop must be an *Adulterer*, in taking a second Wife whilst his former is living; and the Church to which he is translated must be an *Adulteress* in taking another's Husband. The Bishop that succeeds him must be an *Adulterer*, because he takes another Man's Wife; and the Church he succeeds into must be an *Adulteress*, because she takes a second Husband, during the Life of her former. And supposing a Bishop translated from several Sees successively, the number of *Adulterers* and *Adulteresses* must grow prodigiously, and the Bishop thus translated must be an intolerable Fornicator. But there is no necessity for all this, you'll say, because at the Translation of a Bishop the Marriage is dissolved by a competent Authority. I say this

is impossible; for there is no Authority upon the Earth competent for the Dissolution of a Marriage betwixt two innocent Parties. Those whom God hath join'd together, let no man put asunder. But to treat this Objection with as much seriousness as it will admit of, and with more than it really deserves: I say, that a Bishop can very hardly, if at all, be stiled the Husband of a Church. The Objector himself says the Bishop is Christ's Proxy in the Marriage betwixt him and the Church: Can the same Person be Proxy and Husband both? There is a Contradiction in the very Terms. Bishops are indeed the Persons appointed by Christ to contract a Marriage betwixt him and the Churches: Accordingly St. Paul tells the Church of Corinth, That he had espoused them to one Husband, meaning not himself, but Christ, 2 Cor. 11. 2. But this can be spoken of such Bishops only as first convert a People to Christianity, and plant a Church where there was none before. For the first Plantation of a Church is the only time of its Marriage to Christ; and  
this



this *Marriage* is never discontinued, so long as it continues to be a *Church*, and doth not fall away from *Christ* by *apostacy*. If the *Validity* of the *Marriage* depend upon *Subjection* to a *Bishop*, what a miserable Condition must all the *Churches* in the World be in, during the *Vacancy* of the *Episcopal* Sees? For so long must they be separated from *Christ*, having no *Interest* in him, nor he in them. And what must become of those poor *Souls* that happen to go out of the World in this unhappy Juncture? Forasmuch as \* they had no *Bishop* to be subject to, they were quite out of the *Church*; and if quite out of the *Church*, quite out of hopes of *Salvation*. All that they have to rely upon in this Case, can be only this, That although God hath bound us up to *Rules*, he hath left himself free; and it may be presumed that he will not punish men for that which was their *Unhappiness* only, not their *Fault*. A very comfortable *Lecture* this, for a man in his dying *Agonies* to hear, that when he hath endeavour'd all his life long to

\* Case of  
the Regalia  
p. 133.

keep a *Conscience* void of Offence both towards God and towards man, all his *Confidence* in God must in his last *Extremities* be destroy'd by an *unhappy* Accident: *Death* hath taken away his *Bishop*, and thereby so broken the *Bond* of *Union* betwixt *Christ* and *him*, that he is now out of the ordinary way of *Salvation*, and must be *saved*, if *saved* at all, by an *extraordinary* Mercy. If such *Schemes* of *Divinity* as this, do not reflect upon the *Goodness* and *Wisdom* of God, what does? But blessed be God, neither our *Salvation*, nor our *hopes* of it, depend upon such *Uncertainties*. If nothing *separate* us from our *Love* to *Christ*, nothing shall *separate* us from *Christ's* *Love* to us: For the *Union* of every *Soul* to *Christ* is *immediate*, John 17. 20, 21, 22, 23. and nothing can *dissolve* it but its own *Apostacy* and *Impenitency*. It is a very false and dangerous Position, That who keep outward *Communion* with the *Bishop*, do thereby partake of the inward *Communion* with *Christ*. For thus *Atheists* and *Infidels* must maintain an inward



ward Communion with Christ, so long as they do but live in outward Communion with the Bishop; and if they dye in this outward Communion too, it is impossible they should be damn'd, unless we can suppose those may be damn'd who are one with Christ, and Christ with them. The Reverse indeed of this Position is true; viz. That whosoever will partake of an inward Communion with Christ, must keep outward Communion with their Bishop: For Schism is as damning a Sin as Murther or Adultery; and if obstinately persisted in to the last, destroys all hope of Salvation: But this certainly can never reach those who have no Bishop to hold outward Communion with; or else God have Mercy upon the Two Universities, who have no Bishop, that I know of, to be subject to. And therefore it is upon all accounts a rash and presumptuous thing, to make our Union to Christ to consist formally in our Union to a Bishop, any more than it doth in the Practice of any other Christian Virtue.

But

But to proceed to the *Objection* it self; for hitherto we have consider'd only the *Preamble* to it. Whereas therefore it is *objected*, That upon our Principles *Infidel* and *Prophane* Kings may *divorce* all the *Churches* in the World from their *Bishops*, and either give them no more, or set over them the *basest* of Men for their *Bishops*. The *divorcing* part hath receiv'd its Answer, in that to the first *Objection*. And as for *setting* the *basest* of Men over the *Churches*: To this I answer, That it is *impossible*, if the *Bishops* that are already in the *Church* will do their *duties*; because no *New Bishops* can be made without the *Imposition* of their Hands: And where the *Concurrence* of a *Chapter* is likewise necessary, as it is with us, the *danger* is still less; for whatsoever *Restraints* they may lye under, they ought not to consent to the *choice* of an *unworthy* Man, though their *Refusal* cost them not only their *Estates* and *Liberties*, but even their *Lives* too.

4th. Ob.



4th. *Object.* Bishops are properly *Cafe of*  
*Priests*: And the *Regale* and *Priest-* *Regale,*  
*hood* are so inconsistent, that they who *p. 123.*  
 write for the *Regale*, are forced to  
 deny that there are any *Priests* or  
*Priesthood* at all now in the *Church*  
 of *England*; whereas the very word  
*Priest* is retain'd in the *Book of Or-*  
*dination.*

To this I answer, That I know  
 not of so much as one Man in the  
*Church of England*, that understands  
 any thing of Religion, that denies  
 the being of *Priests* and a *Priest-*  
*hood* in it, in all senses of the words.  
 As for the *Author* cited by the *Ob-*  
*jector*, viz. the *Author* of the *Se-*  
*cond Defence of the Church of Eng-*  
*land from Schism, &c.* his words are  
 grossly misrepresented; for he doth not  
 positively deny that there are any  
*Priests* or *Priesthood* now in the  
*Church*; but only that there are any  
*Priests* in the proper sense of the  
 word. And he spake in the *Lang-*  
*uage* that hath been current in this  
*Church* ever since the *Reformation.*  
 And

\* *Case of  
the Regale,*  
p. 291.

And if that *Author* \* call himself a *Clergyman*, I know not what reason any one can have to call his *Orders* in question; upon the account of an *Assertion* which no *Clergyman* of this *Church* will refuse to *subscribe* to. And farther, that *Author* thought himself so far from any *necessity* of denying all manner of *Priesthood* among us, that he declares it to be of *no moment* to the matter in hand, whether *Bishops* be *properly Priests*, or not; for whether they be, or be not, he contends for their *Subjection* to their *Prince*. And how could he ever imagine the *Priesthood* to be *inconsistent* with the *Regale*, when he draws an *Argument* from *Solomon's Deprivation* of *Abiathar*, whom no man ever deny'd to be a *Priest* in the *propereſt* ſenſe? And for my own part, I cannot conceive to what purpose a *Proper Priesthood* is thus drawn in here by *Head* and *Ears*, unless it be to make way for a *proper Sacrifice* too; and if that be the *Reason*, it is easy to gueſs what men would be at. One would think it might have been enough to all the

*Intents*



*Intents and Purposes* of this *Controversy*, to have insisted upon the *Divinity* of the *Clergy's Mission*, and that they are the *Ambassadors* of *Christ*. This puts them under a *Character* as *honourable* altogether as that of the *Priesthood*. Nor would this have been *denied*; or if it had, it had been easily *proved* out of *2 Cor. 5. 20*. Whereas the *Priesthood* in a *proper* sense is not to be *proved*; and the *Objector* himself; when he \* *undertakes the Proof* of it, goes about it very *awkwardly*; for in the very beginning he leaves out half the *definition* which the *Apostle* gives of it, *Heb. 5. 1*. And that man is like to make *fine* work of it, who in the *first* Step he takes, loses *half* his *Ground*. From this *Text* he tells us, That a *Priest* is *ordained for men in things pertaining to God*: He ought to have added withal, *that he may offer both gifts and sacrifices for sins*: Which, as appears by the whole *design* of that *Epistle*, is an *Essential* part of the *Description*, and in which the *Ratio Formalis* of the *Priesthood* doth consist.

But

\* *Case of the Regale,*  
p. 172.

But now to shew this Author, if he will vouchsafe to learn, not from me, but from as great a man as this Church ever had, wherein lies the difference betwixt a proper Priesthood, and the Evangelical Ministry; I shall desire him to consider this Passage of Dr. Outram's, in his Book *de Sacrificiis*, l. 1. c. 19. §. 5. " Jam verò  
 " quamvis S. Paulus tralatitio loquen-  
 " di genere utens Sacerdotis Perfo-  
 " nam sibi sumat, quamvis & Chri-  
 " stiani omnes ex Sacris illis Spiri-  
 " tualibus, quæ ipsi quotidie Deo of-  
 " ferunt, *Sacerdotes* nonnumquam ap-  
 " pellentur, id tamen maxime adver-  
 " tendum nullos Evangelii Ministros,  
 " quocunque in Ordine constituti  
 " fuerint; hujus ipsius Muneris Ra-  
 " tione usquam in Scripturis Sacris,  
 " *ιερεῖς*, aut *ἀρχιερεῖς* vocari. Quod  
 " ideo moneo, ut Ministerium Evan-  
 " gelicum à Sacerdotio Aaronico mul-  
 " tum differre intelligatur; idque in  
 " eo præcipuè cerni, quod illud pro  
 " Deo apud Homines præcipuè con-  
 " stitutum sit, hoc pro Hominibus  
 " apud Deum. Ex quo & illud in-  
 " telligitur, illud præcipuè circa Ho-  
 " mines,



mines, hoc circa Deum versatum esse.  
 Quibus adde, quod Sacerdotio Ju-  
 daico Successit Sacerdotium Christi,  
 non Ministerium Evangelicum. Ut  
 Nemo nunc, nisi ipse Christus Au-  
 thoritate à Deo datâ ispeçs, aut ap-  
 paretur super sit; nempe Hominum apud  
 Deum Patronus. Which for the  
 sake of the English Reader I shall  
 Translate. And now although St. Paul  
 using a borrow'd Form of Speech as-  
 sumes the Character of a Priest, and  
 although all Christians upon the account  
 of those Spiritual Sacrifices, which they  
 daily offer unto God are sometimes  
 called Priests, yet you are to take good  
 notice, that no Ministers of the Gospel,  
 of what Order soever they be, are upon  
 the Account of their Office stiled any  
 where in Scripture Priests or High-  
 Priests. Which I therefore observe to  
 you, that you may understand the wide  
 Difference, that is betwixt the Evan-  
 gelical Ministry, and the Aaronical  
 Priesthood; which chiefly appears in  
 this, that the former is ordain'd for  
 God in Things pertaining to Men, the  
 latter for Men in Things pertaining to  
 God. From whence we learn this also  
 that

that the one hath chiefly to do with Men, the other with God. To this we may add that the Priesthood of Christ, not the Evangelical Ministry, Succeeds in the Room of the Jewish Priesthood. So that now there remains None, but Christ himself, who is by Authority from God a Priest, or High-Priest, that is, an Advocate for Men with God.

Case of the  
Regale. p.  
201.

Now from hence it appears that the Evangelical Ministry, though no Priesthood properly, is something that hath a name, and a meaning in it too. Something not fit to be trampled upon, or made a tool of State to cajoul the people with. What? is nothing truly honourable but a proper Priesthood? This Author treats us, as if he thought there were not. But yet when he comes to vindicate the honour of the Evangelical Priesthood, he doth it by an Enumeration of those texts, whereof there is not one but what is as fully applicable to the Clergy under the Title of Bishops and Presbyters, as that of Priests. An evident Demonstration that



that the *Honour* of their *Office* depends not upon their title to a *Priesthood*; for else why should the *Holy-Spirit*, when designing to *magnify* their *Office*, choose to do it by any other *Title* rather than that?

5th. *Object*. If *Kings* may deprive *Bishops*, then must the *Priesthood* be subject even to the *Beasts* of the *People*. For there is Nothing can set it out of the Reach of the *People*, that will not likewise put it above the *Power* of *Kings*. For if it be *divine* it is above them all.

Case of the  
Regale,  
p. 201.

Where I wonder had this Man his *Education*? certainly no *Son* of the *Church* of *England* ever vilified *Princes* at this Rate. Have not *Princes* a *divine* Character as well as *Priests*? are they not as much the *Lord's* anointed as *Priests*? are they not as much the *Ministers* of God as *Priests*? And are the same things to be said of the *Beasts* of the *People*? But to let this pass; there is a *Fallacy* in the *Objection*, and were it drawn into a *Syllogism*, it would con-

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list of four terms. For Priests are not the Priesthood, any more than a Man is his Office, and therefore the Office it self may be exempted from that Authority to which the Persons are entirely subject. And accordingly we say that Clergymen themselves are liable to be deprived by their Prince, though all the Powers on Earth cannot abolish the Order. This Subjection of their Persons detracts not any thing from the Divinity of their Office on the one hand; neither doth the Divinity of their Office detract any thing from the Subjection of their Persons on the other. For, as Archbishop Laud saith, Our being Bishops, Jure Divino, by Divine Right, takes nothing from the King's Right or Power over us. For though our Office be from God and Christ immediately; yet may We not exercise that Power either of Order or Jurisdiction, but as God hath appointed us, that is, not in his Majesty's, or any Christian King's Kingdoms, but by and under the Power of the King given us so to do. Archbishop Laud's Speech in the Star-chamber, June 14. 1637. pag. 7.



6th. Object. If Kings have this supreme power over Ecclesiastical Persons and Affairs, then had not Uzziah been smitten with Leprosy, nor Saul been dethroned by God, for invading the Priest's Office. Nor had Jeroboam and his house been Cursed with so severe a Curse, even to cut it off and destroy it from off the face of the Earth, for depriving the Priests of Levi, and setting up new Priests of his own chusing, 2 Chron. 13. 9.

Case of Regale, p. 37.

Ans. When we allow Princes to administer Sacraments, to commission Lay-men to do the Office of Priests, and to rake dunghills to fill Episcopal Sees, it will be time enough to consider these Instances, and not before.

## VI.

*Kings have supreme Authority over the external discipline of the Church.*

**F**OR all *Forensick* Jurisdiction doth depend upon the King, nor can any Person be cited into, or proceeded against in any *Ecclesiastical* Court without his *Licence* and *Permission*.

\* *Case of the Regale,*  
p. 110.

We are \* told indeed that *Kings* themselves have been *excommunicated*, and three successively by one Bishop, viz. *Mauricus, Mordant* and *Gaidwert* Kings of *Wales* by *S. Ondocens*. But, whatsoever *Submission* and *Penances* those *Princes* might be content to undergoe to atone for such horrid crimes as *Perjury*, and *Murther* of their own nearest Relations, yet He that will undertake to justify *Ondocens's* proceedings against them, will find an *hard* task of it. † Against one He pronounceth this *Curse*, *Fiant dies ejus pauci, fiant Filii ejus Orphani, & Uxor ejus Vidua, i. e. Let his days be few, let his Children be*  
*Father.*

† *Spelman*  
*Concil.*  
*Tom. I. p.*  
62, 63, 64.



*Fatherless and his Wife a Widow.* Against the other he gives sentence of Banishment; One indeed he suffer'd to commute; but the other He actually sent off, and because he returned before his time, He would never absolve him. A worthy precedent this to be recommended to the imitation of Posterity; which, as Princes have more Wit, so I hope Bishops have more Grace than to allow of.

But notwithstanding this Power of Princes over Ecclesiastical Courts, it is not in their Power to destroy any Jurisdiction that is purely Spiritual, and lies wholly in *Foro Conscientie*, viz. the power of binding and loosing, of admitting to or shutting out from, a Participation of the Holy Sacrament. This Power may, and ought upon just occasions, to be exercised even over the Prince himself, as \* St. Ambrose exercised it upon Theodosius the Emperour. And this power belonging entirely to the Bishops and Pastors of the Church is sufficient to all Spiritual Intents and Purposes, nor can

\* Theod.  
1. 5. c. 18.

\* *Case of  
the Regale,  
p. 189.*

all the Laws in the World oblige them either to *forgo*, or *abuse* it. So that there is no *obligation*, that I know of, lying upon the Clergy to *administer* the *Holy Sacrament* to such as shall desire it \* *merely* as a *Qualification* for an *Office*, especially when They know, see and hear them in their *Conversation* and *Principles* to be utterly *unprepared* for so Holy a *Mystery*. It is directly against our *Saviour's* command *Matt. 7. 6*. For it is to *give that which is Holy* unto the *Dogs*; it is to *cast their Pearls* before such *Swine* as they know will *trample them under their feet*, and *turn again and rent them*. The *Minister* that thus *sinfully* complies is as *guilty* of the *Body and Blood* of *Christ* as the *unworthy Communicant*. It is hard indeed that an *Action* should lie against them upon such an account; but if there do, I am apt, but yet with *submission* to the *Sages* of the Law, to think, that the *Acts* for *Uniformity* will bear them out. For by those they are *obliged* to a *strict Observance* of all things appointed in the *Book of Common-Prayer*:



*Prayer: and the Rubrick before the Communion Service doth expressly require them to repel open and notorious ill liverers from the Communion. With what justice then can they suffer for doing that which is their duty by the Laws both of God and Man?*

VII.

*Kings have Supreme Power over Synods, to call them when they see convenient, to preside over their Debates and to give their Canons the force of Laws.*

**F**OR all *Assemblies*, such especially as pretend to a *Legislative Authority*, have such an *Influence* over the *publick* peace, that no *Prince* can possibly *secure* the one, unless he have full *power* over the other. And farthermore, were it in the *power* of the *Clergy* to meet in *Synods* when they please, and to make what *Laws* they please, they might *corrupt* Religion as they pleased, and there would be no *Remedy*. But it is ob-

' *Cafe of  
the Regale*  
p. 13.

jected that \* if the Church cannot meet in Synods without leave of the State, it is in a manner dissolved and subsists but precariously. It is great pity this Man did not sit in the Convocation, 1603. He had certainly prevented the passing of the 12th. Canon, in which all such meetings are unluckily condemned under the name of Conventicles, and a very severe Censure passed upon the Maintainers of them. I shall transcribe the Canon it self for the use of this Author, because he seems not to have the Book at hand. *Whosoever shall hereafter affirm, That it is lawful for any sort of Ministers or Laypersons, or either of them, to joyn together, and make Rules, Orders or Constitutions in Causes Ecclesiastical, without the King's Authority, and shall submit themselves to be ruled and govern'd by them: Let them be excommunicated ipso facto, and not be restored until they repent, and publicly revoke those their Wicked and Anabaptistical Errors.* Whoever thought till now that our Canons were so framed as to undermine Religion and dissolve the



the Church? This Man makes wonderful discoveries. Well! but do we allow of Synods meeting without leave of the State in Cases of necessity? Yes, certainly. In a Case of absolute Necessity, if there can be such a Case, they may meet for ought that is here said to the Contrary. For we have all along asserted the Church's Right to Self-preservation, and consequently to every thing that is absolutely Necessary for her Subsistence. But I would have it withal observed, that there is no arguing from Cases of Necessity to ordinary Cases. For in the one many things are justifiable which in the other are by no means to be allowed. Necessity creates Authority; it gives every private Subject a Commission to Kill a Robber upon the Road. But as it would be madness thence to infer, that every private Subject hath an Authority of self-defence independent of the State, and a Right to execute it whenever he pleases; so it would be unreasonable at least to infer, from what the Clergy may do in Case of Necessity that the same They have an Authority

\* *Case of  
Regale*, p.  
126.

*city independent of the State* always to do, and a *Right to Excuse* it whenever they please. Which yet is a way of arguing the *Author* of the \* *Case* makes use of; but by what *Rules of Logick* I know not. And here I cannot but take notice of the *Vast difference* betwixt this *Writer*, and that whose *Stile* He seems to *imitate*, I mean the worthy *Author* of the *Snake in the Grass*. For that *Writer* in so many of his *pieces* as I have had the happiness to read, is *just* in his *reasonings* and *fair* in his *Quotations* which are always *much* to the purpose: but whether this *Writer* be so or not I leave the *Reader* to judge. But, to do him *Right*, I think his *Failures* herein ought to be *imputed* wholly to the *Badness* of the *Cause* he is so *unhappily* engaged in. For when he comes to discourse of the *Pope's Supremacy*, he manages his *Arguments* against it with *fairness* and *dexterity* enough.

It may now perhaps be expected that I should speak something to the  
Power



Power of the King and the Privileges of the Clergy in an English Convocation; the Dispute being at this time very ripe and here being so fair an Occasion to enter into it. But that is in much better hands already, and to them I entirely leave it.

I have nothing more to do now, but to consider some Arguments which are urged against the Regal Supremacy in general, which having done, I shall hasten to a Conclusion. And it is objected that

1st. Object. The Regale hath done much mischief in the World; and that the Greek Church in particular was ruined by it. If by the Regale our Author mean nothing but the Abuse of the Supremacy in Ecclesiastical Affairs; I am as much an Enemy to it as he can be, for I know not what manner of Good it can possibly do. But if He mean the Supremacy duly exercised, he doth very ill to lay those mischiefs to its Charge which have arisen only out of the Abuse of it. This is just as if

Case of the  
Regale, p.  
104.

if one should condemn all Monarchy because some Monarchs have been Tyrants. That which well used doth most good, when abused doth commonly most Mischief. But, when all is done, I dare confidently affirm that the Church hath, in the whole, received infinitely more good from the Regal Supremacy than it hath suffer'd hurt by it. Our own Church hath, I am sure, abundant reason to acknowledg this: but if it had not; the intollerable Corruptions of the Church of Rome do sufficiently declare that Religion thrives as well or better under the Supremacy of Kings than under the Supremacy of Ecclesiasticks; so that this Power is not to be lodged in safer hands than those it is already in.

2d. Object. The Church cannot subsist without a Supremacy of Power in all things that concern it self. How then shall it subsist when the Supremacy is lodg'd abroad, and the Persons in whom it is lodged will neither use nor lend it for the Service of the Church? To this I answer, that  
it



it fares with the *Church* in this *Case*, as it doth with *States*, which in case of a *Prince* being under an *incapacity* to govern, have a *Right* to preserve themselves from *Ruin*, and are thereby *impower'd* to do all such *Acts* as are *necessary* for their own *Preservation*. Suppose a *Prince* run mad, as one of the greatest *Princes* in the *World* for some time did, the *Exercise* of *Civil Authority* must needs in this case devolve to the *Body* of the *People*. In like manner must the *exercise* of the *Ecclesiastical Supremacy* devolve, under an *Heathen Prince*, to the *Church*. And as in the one case, the *Nobility* and *Gentry* may *exercise* more power than doth *ordinarily* and of *common Rights* belong to them; so in the other, may the *Bishops* and *Pastors* of the *Church* assume more *Authority* than is *absolutely* inherent in their *Offices*. Thus did the *Church* support it self during the *Reigns* of *Heathen Emperours*, and thus, if it should ever hereafter fall under the same *Circumstances*, which *God* forbid, may it support it self again. But there is no *Arguing* from the

the practice of the Church, when under Persecution to the same when peacefully settled under the Government of a Christian Prince, nor can we conclude that, because such and such things were done by Bishops then without the Authority of the civil Magistrate, therefore the same may be so done by them now: For to use the words of

K. Charles  
I. Paper 3d  
at the Isle  
of Wight.

a Royal Author \* " His Majesty sees  
" no Necessity, that the Bishops  
" Challenge to the Power of Ju-  
" risdiction should be at all times  
" as large as the Exercise thereof  
" appeareth at some times to have  
" been; the Exercise thereof being  
" variable according to the various  
" Condition of the Church in different  
" times. And therefore his Majesty  
" doth not believe that the Bishops  
" under Christian Princes do challenge  
" such an Amplitude of Jurisdic-  
" tion to belong unto them in re-  
" spect of their Episcopal Office pre-  
" cisely, as was exercis'd in the Pri-  
" mitive Times by Bishops, before  
" the Days of Constantine. The  
" Reason of the difference being e-  
" vident, That in those former Times  
" under



“ under Pagan Princes, the Church  
“ was a distinct Body of it self, di-  
“ vided from the Commonwealth,  
“ and so was to be govern’d by its  
“ own Rules and Rulers. The Bi-  
“ shops therefore of those times,  
“ though they had no outward Co-  
“ ercive Power over mens Persons  
“ or Estates, yet inasmuch as eve-  
“ ry Christian Man, when he be-  
“ came a Member of the Church,  
“ did *ipso Facto*, and by that his  
“ own voluntary Act, put himself  
“ under their Government, they ex-  
“ ercised a very large Power of Ju-  
“ risdiction in *Spiritualibus*, in ma-  
“ king Ecclesiastical Canons, recei-  
“ ving Accusations, convening the  
“ accused, examining Witnesses, judg-  
“ ing of Crimes, excluding such as  
“ they found guilty of scandalous  
“ Offences, from the Lord’s Supper;  
“ enjoining Penances upon them,  
“ casting them out of the Church,  
“ receiving them again upon their  
“ Repentance, &c. But after that  
“ the Church under Christian Prin-  
“ ces began to be incorporated in-  
“ to the Commonwealth, whereup-  
“ on

" on there must of necessity follow  
 " a Complication of the Civil and  
 " Ecclesiastical Powers, the Jurisdi-  
 " ction of Bishops (in the outward  
 " Exercise of it) was subordinate  
 " unto, and limitable by the Su-  
 " preme Civil Power, and hath been  
 " and is at this day so acknowledg-  
 " ed by the Bishops of this Realm.

I could not forbear *transcribing*  
 this *Passage*, both for the *Pertinen-*  
*cy* of it to the matter in hand, and  
 the *Authority* of the *Person*, which  
 no man can *except* against, especial-  
 ly since it was written by him not  
 Three Months before his *Martyr-*  
*dom*, at a time when by the *Confes-*  
*sion* even of the \* Author of the  
 Case he set himself for the *Rescue* of  
 the *Church* from the *Encroachments*  
 of the *Secular Courts*, and *Erastian*  
*Laws*. But why *Erastian Laws*? I  
 pray, Sir; Do not you your self say,  
 \* That as our *Laws* stand at pre-  
 sent, the *Church* is left wholly inde-  
 pendent on the *State*, as to her pure-  
 ly *Spiritual Power* and *Authority*;  
 and this with a *Quod erat Demon-*  
*strandum*

\* *Case of*  
*the Regale*,  
 p. 251,  
 252.

\* *Case of*  
*Regale*, p.  
 74.



*Brandus* too? And if it be so now, it was so then. For what reason then must our Laws be charg'd with *Erastianism*? Surely the word *Erastian* ferments in this Author's Stomach; for had he not been ready to burst with it, he would never have discharged it there, where he himself pretends to have demonstrated the *Injustice* of the *Imputation*. It is true, indeed the *High-Commission Court* is since taken away, and this our *Author* calls a great \* *Step* towards a *Reformation*; but God forbid that *England* should ever take such another; for since the *Removal* of that *Bulwark* of *Religion* and *Morality*, we have been overwhelm'd with a *Deluge* of *Immorality*, *Heresy*, and *Atheism*. If he reckons the *Statute* upon which that *Court* was founded, among the *Erastian* Laws against which *King Charles the First* set himself, he shews no regard either to *Truth* or the *Memory* of that excellent *Prince*, in charging him with that piece of *Disservice* to *Religion*, which is wholly owing to the *Seditious Long Parliament*.

*Case of Regale, p. 248, 250.*

Case of Regal  
gale, p. 108.

3d Object. Is taken from *Fathers* and *Councils*. His *Fathers* are *Athanasius*, *Hosius*, *Ambrose*, *Augustin*, &c. His *Councils*, *Can. Apost.* c. 30, 31. 1 *Conc. Nic.* c. 4. *Constant.* 2 *Gen. Conc.* c. 6. *Chalced.* 4 *Gen. Conc.* c. 9. 2 *Nic.* 7. *Gen. Conc.* c. 3. *Constant.* 8 *Gen. Conc.* c. 22. *Conc. Elib.* c. 56. *Conc. Antioch.* c. 11, 12, 16, 20. *Conc. Carthag.* c. 13, 15, 20, 65, 107, &c.

Here is *Father* upon *Father*, and *Council* upon *Council*; *Names* certainly that command *Regard*, and of *Authority* sufficient to carry any Cause they speak for. And if these are not enough, we have a long *Et cetera* beside. *Fathers* and *Councils* are *Books* which few have *Abilities*, fewer *Opportunities*, and much fewer yet *Leisure* or *Inclination* to consult; and I am apt to think that this *Author* presumed no one would look any farther than to the *Names*; for else he would either have quoted them more to the purpose, or have altogether omitted them. As for his *Fathers*;  
Atha-



*Athanasius, Hosius, and Ambrose, we have already spoke to. And St. Augustin is so far from being an Enemy to the Regal Supremacy, that he made it as much his business to assert it against the Donatists of his time, as we do to maintain it against their Followers. Let any one read but his 162, 166, 167 Epistles, and see whether this be not true. But in the mean time let us examine his Quotations out of the Councils.*

i Conc. Nicen. c. 4. requires, *The presence of Three Bishops at least, and the consent of all the Bishops of the Province to the Consecration of a Bishop.*

i Conc. Constantin. c. 6. decrees, *That whosoever hath any Complaint against a Bishop, he must first bring it before all the Bishops of the Province; and if the matter be too hard for them, then before the Synod of all the Bishops of the Diocess. And if any one shall despise this Decree, and presume to trouble either the Emperor, or*

*the Civil Courts, or an Oecumenical Council with it, he shall, &c.*

This is the most pertinent of all his Quotations; but he that can hence infer that the Prince hath no Power to sit Judge upon a Bishop, must at the same time conclude that an Oecumenical Council hath none neither.

Conc. Chalced. c. 9. decrees, That if one Clergyman have an Action against another, it shall be brought before the Bishop, or else before such Judges as shall be chosen by both Parties, and approved of by the Bishop. If a Clergyman have an Action against his Bishop, that it be determined in a Provincial Synod. If against the Metropolitan of the Province, that he go either to the Exarch of the Diocese, or to the See of Constantinople.

Conc. Antioch. c. 11. decrees, That if any Clergyman have business with the Emperor, he must have the leave of the Metropolitan and Bishops of the Province, before he goes to him.



C. 12. *Is to the same Effect with that of the Concil. Constant. above.*

C. 16. *Forbids any one to intrude into a Bishoprick, without the Consent of a full Synod.*

C. 20. *decrees, That Provincial Synods shall be held twice in the Year.*

Concil. Carthag. c. 13. *is coincident with that of Conc. Nic. c. 4. above.*

C. 15. *Forbids any Clergyman to remove his Cause out of the Ecclesiastical Court, if once entred there, although it be of Civil Concern.*

C. 10. *decrees, That a Presbyter, if accused, shall be try'd by his Bishop, assisted by Six other Bishops; and a Deacon by the same, assisted by Three.*

C. 65. *gives a Commission to a Legate to prosecute one Aequitius a deprived Bishop. This is little enough*

to the purpose; and the next is left so, if possible; viz.

C. 107. Which forbids a Bishop to take cognizance of a Cause alone.

Conc. Elib. c. 56. requires a Magistrate to absent from Church during the Year of his Duumvirate. Here's a Magistrate excommunicated, and that is something to the purpose; but it ought to have been consider'd withal, that the *Duumvirate* was but an *Inferior Office*, and which moreover in those unhappy times was not to be innocently executed.

Can. Apost. 30. runs thus: If any Bishop apply himself to Secular Princes, and by their means obtain a Church, let him be deposed, &c. This may seem a very pertinent Quotation at first sight: But when this Canon was framed, the *Secular Magistrates* were *Heathens*, and all Application to such for a *Bishoprick* must needs have been very offensive to the Church; and besides, the Canon respects the violent intruding into a *Bishoprick* by mere Force,



*Force*, against all *Rules* and *Order*.  
But how this should affect the *Rights*  
of *Christian Princes* to the Regular  
and *Orderly Nomination* of *Bishops*,  
I cannot perceive.

Can. Apost. 31. forbids *Schismatical*  
*Conventicles*.

2 Conc. Nic. & Constant. the 7th  
and 8th General Councils, as they  
are here call'd, deserve no more *no-*  
*tice* than the Council of *Trent*. And  
our *Author* had consulted the *Repu-*  
*tation* of his *Cause*, and his *own* too,  
had he taken no notice of them.  
The *Pertinency* even of these *Autho-*  
*rities* might be disputed too; but it  
is not worth while to contend about  
them. If our *Casuis*t be fond of  
them, he shall enjoy them quietly for  
me, and much good may they do  
him: But as for all the rest of his  
*Quotations*, it sufficiently appears that  
there are not above Two or Three  
of them that do so much as *seem* to  
*look* toward the matter in hand;  
and the *true Intent* of them appears  
clearly to be no other, than to pre-

\* *Case of  
the Regale,*  
p. 109.

went the Clergy exposing themselves either by *running* upon every occasion to the *Civil Courts*, or scandalous *Solicitations* for Preferment, or troubling the Emperor without absolute Necessity. And yet the \* Author of the Case tells us. That hereby all Appeals from the Bishop to the King in Ecclesiastical Causes are forbidden, or to use the King's Interest to obtain a Bishoprick: that all Elections of Bishops, Priests, or Deacons by him are void; and that he may upon some occasions be shut out of the Church. He might as well have produced any of the Canons, A. D. 1603. for all this. In which, whatsoever face any particular Canon might bear, the King's Allowance and Confirmation of the whole Book would sufficiently evince that it could not tend to the Destruction of the Supremacy. For in the same manner was the Code confirm'd by Justinian the Emperor; which, together with the Councils themselves being call'd by the Imperial Authority, is such a Demonstration of the Supremacy, as no particular Canon can set aside. Thus much for his Objections.

And



And here I had taken leave of my Reader, had I not been told, That I have been all this while writing against the 39th Article of our Church. For in that, \* saith the Author of the Case, All Ecclesiastical Power whatsoever is utterly disown'd and disclaim'd. I shall beg therefore his *Patience* a little longer, to see whether it be so or not. The words of the Article are these; *The Queen's Majesty hath the chief Power in this Realm of England, and other her Dominions; unto whom the chief Government of all Estates of this Realm, whether they be Ecclesiastical or Civil, in all Causes doth appertain; and is not, nor ought to be subject to any Foreign Jurisdiction.* We have in this Clause the Supremacy over Ecclesiastical Persons, and in Ecclesiastical Causes plainly asserted. Now all Authority receives its Denomination from the Persons and Causes about which it is conversant; what then can any man make of this Power, but an Ecclesiastical Power? Well: But if this Clause lay it on, the next wipes it off again; for there-  
in

\* Case of  
Regale. p.  
71.

in is attributed to our Kings that only Prerogative which we see to have been given always to all Godly Princes in Holy Scriptures by God himself; that is, that they should rule all Estates and Degrees committed to their Charge by God, whether they be Ecclesiastical or Temporal, and restrain with the Civil Sword the Stubborn and Evil Doers. Now from hence it is urged, That the Precedents drawn from any extraordinary Acts of Moses, David, or Solomon, &c. are hereby excluded; because it is said, such Prerogative, and such only as was always given, and to all Godly Princes: And that is explain'd, to restrain with the Civil Sword. Nay, but it is explain'd too, that they should rule all Estates and Degrees committed to their Charge by God, whether they be Ecclesiastical or Temporal. And what was this part of the Explanation left out for? Was our Memory so weak as not to retain it during the writing of Eight or Ten Lines? No; but it would not serve our Turn, and therefore we would not remember it: For this would have taught us, That Ecclesiastical

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ecclesiastical Estates are committed to the Charge of Princes, as well as Temporal: And that Princes are to Rule them too, *in officio continent*, is the Latin; i. e. keep them to their Duty. And this must of necessity imply, that Princes are to enquire into the Nature of Ecclesiastical Duties, and to see how they are discharged by those on whom they are incumbent, and to punish those that are delinquent in them; and all this looks too much like an Ecclesiastical Power. But let us see when the extraordinary Acts of the Kings in Scripture are set aside, what Acts are there remaining that can fall to our Prince's share. The Deprivation and Nomination of Priests, and ordering the Ceremonies of Religious Worship, those were extraordinary Acts. The abolishing Idolatry, and setting up the Worship of the True God, must be another extraordinary Act, for it implies a Judgment in an Article of Faith, if the first Article in the Creed be one, and that our Author \* saith, no Princes have any thing to do withal. In short, I know not of one Act of

\* Case of  
the Regale,  
p. 124.

of the Jewish Kings touching Religion, but what must, according to his Principles come into the number of extraordinary Acts. For he that looks upon the judging of a controverted Title to an Episcopal See, as an *Encroachment* upon the Rights of the Church, as this Author doth in the Case betwixt *Cecilianus* and the *Donatists*, leaves certainly but very little for any Prince to do in the Church by his ordinary Power. He therefore would do well to give us an account of such Acts as ordinarily lye within the Prince's Power, that so we may know what the Jewish Princes did by an ordinary Power, and what by an extraordinary. And if he ever vouchsafe to gratify the World so far, I would advise him to call to mind a Sentence, which in the composing of this Piece I suppose he forgot; I mean the 2d Canon of our Church, A. D. 1603. with which I shall conclude:

*Whosoever shall hereafter affirm, That the King's Majesty hath not the same Authority in Causes Ecclesiastical, that*  
the



*the Golly Kings had amongst the Jews,  
and Christian Emperors of the Primi-  
tive Church, or impeach any part of  
his Regal Supremacy in the said Cau-  
ses restor'd to the Crown, and by the  
Laws of this Realm therein establis'd:  
Let him be excommunicated ipso facto,  
and not restored, but only by the Arch-  
bishop, after his Repentance, and Pub-  
lick Revocation of those his wicked Er-  
rors.*

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